

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 7, 2011

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on March 31 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 6, 2011 in the amount of \$ 240,976.78 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of March 31 – April 6, 2011
- Report from the Building Inspector's Office from January 4 – April 4, 2011

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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5. **AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council in the amount of \$ **893,102.40** are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Rabideau; Seconded by Councilor Jackson  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

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6. **PERSONS ADDRESSING COUNCIL:**

**Jack Stone** 1059 Shingle Street Morrisonville said he is interested in bringing a business to the City of Plattsburgh, a USDA Slaughter house on property at Weed Street Extension.

**Mayor Kasprzak** explained to Mr. Stone that this Council doesn't make this decision at this point and he needs to go through Zoning and Planning issues and he needs to pursue his financing, etc. There are Charter issues and Zoning and Planning challenges that Jack knows he will eventually have to go through and it has nothing to do with this body at this point. There is a process to go through.

**Councilor Carpenter** said this sounds like a project that would fit well with Community Development and I was going to ask John if there was anyway Community Development could help or get involved.

**Corporation Counsel John Clute** said I was checking the other day to see what the status of these economic development programs are and if the state website is current they do have a program they've had for a few years now where they can make loans and or grants up to \$750,000 for businesses that are essentially industrial in nature and this might fit that classification. It's all really the job creation. I don't know much about this project idea but if your going to build a slaughter house I assume its going to require a pretty sizeable building a fair amount of equipment so its probably something that would be in that range of costs.

**Mayor Kasprzak** said I am going to ask you officially you are going through the details of Zoning and Planning and I assume at some point you are going to be on their agendas and then at some point we will get involved but we can't do much until then.

**Jack Stone** said yes.

**Marvin Benton, Dick Cable and Clark Everleth** submitted a petition "Save Boynton Ave" to the Council to have heavy trucks rerouted off Boynton Avenue. Due to the heavy trucks many homes have cracks in the walls and foundations. Also, the danger of accidents which we have seen happen and dangerous to young children. We believe it would be in everyone's interest to have trucks go to exit 39 a 4 lane state road.

**Mayor Kasprzak** said I have been aware of this issue and I know the Council has to. I'm going to

tell you some good things and bad things. First of all the good things, we regularly call Georgia Pacific and Pactiv and I ask them to call their trucking companies to utilize Exit 39. I know they do that but then after a good week or two they end up, for whatever reasons, going by your folks house. The bad news is they can go in front of your homes; I hate to tell you this, there are two sets of truck routes covered by the state and the federal people and they can use that route because they are less than a mile away. Pactiv is 3 tenths of a mile and the entrance to GP is 6 tenths of a mile. I am going to think about this and approach GP, Pactiv and people on Veteran's Lane and tell them I have some very concerned constituents. I don't know exactly how it's going to work long term.

**Marvin Benton, Dick Cable and Clark Everleth** said what about fixing the road.

**Mayor Kasprzak** said there are two projects that are going to happen in 2011. One is from the North Catherine Street position to Woodland. That is a fact and is in the 2011 budget. The other one is a DOT project that is going to be as you enter the City on the other side there is work going to be done there. So now all of the sudden we've got some real challenges on when that's going to start. How the traffics going to be detoured through your area and we don't know the logistics yet. It makes no sense to me, if that other projects going on and we have to detour in that area, that we would want the traffic for several months to go in front of your homes after we have invested in improving your infrastructure and then have to do it again. The government shouldn't do that, so I don't have answer for that piece yet. Your piece won't happen in 2011. I appreciate you coming.

**Victoria Checkley** 9 Williams Street said I am a student at Plattsburgh in the graduate masters and leadership program currently. One project we have to do is choose a local public policy issue and do a report on that. I wanted to ask a question what does the city do for the problem of the over population of feral cats in the area, is anything done?

**Mayor Kasprzak** said it's not addressed the way many people would want it to be. It's been a challenge for many years about feral cats in many of the neighborhoods. We rely on the feral cat fund and Victoria St. John there are challenges financially with that not for profit. They can only take so many of the cats that are feral in and that is always difficulty for them to receive funding. That's why they have street drives and they often ask for donations. It's an ongoing work in progress and I don't know if we could ever address it the way the public would like us to.

**Representatives of Club Caribbean** spoke about their event on May 7<sup>th</sup>, 2011 on Rugar Street.

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## **7. OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves the Center for Women's Concerns, 101 Broad Street to have a "Take Back the Night" Event and March on Friday, April 15, 2011 from 9:30 pm to 10:30 pm, marching down Brinkerhoff Street onto Margaret Street and back up Broad Street.

By Councilor Tiffer; Seconded by Councilor Carpenter  
Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves Project Main St. BIP #14-2008 (62-66 Margaret Street – Woo) be awarded to Martin Bouchard Construction for the contract amount of \$82,000. This project will be funded by the 2008 NYS Main Street program.

By Councilor Tiffer; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLUTION:** SEQR Findings re: Transfer of Clinton County Compost Facility property to City of Plattsburgh.

**Whereas,** this resolution is based upon the following facts and circumstances:

1. The County of Clinton has tendered a deed to the City of Plattsburgh conveying title to the Clinton County Compost Facility pursuant to the terms of an Agreement made by the parties in 1982.
2. A transfer of real property from one government to another is an unlisted action under SEQR.
3. The Common Council has reviewed a short form EAF and supplement concerning such action.

On the basis for such review, the Common council finds:

1. For the reasons set forth in the EAF supplement, the transfer or title to the compost facility property is an independent action, not related to the City of Plattsburgh pending applications for permit modifications to implement an Alkaline Treatment process at the facility.
2. The transfer of title will not have any effects or impacts on the environment.

By Councilor Carpenter; Seconded by Councilor Case

Discussion:

**Councilor Calnon** said I just wanted to point out for folks that are here and everybody who's listening in, the reason we find that there is absolutely no impact is because under our current contract with the county we're actually responsible for all of the management, for all of the permits, for every action that goes on there contractually. If the property becomes ours we're still going to be

responsible for the management and for the permits and so that really isn't going to change at all. This really is a statement that there really is no impact whatsoever.

**Councilor Carpenter** said I would also like to make the point had we not taken control of that, there could be an impact on the environment because there is no saying that the county will keep that facility there. They may tear it down because they don't have a use for it as it sits so by not taking it there could be an adverse effect on the environment.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. RESOLUTION:** Acceptance of Deed from Clinton County conveying title to Clinton County Compost Facility property; Agreement to change name; Authorization to hold harmless agreement.

**Whereas,** pursuant to an Agreement between the City of Plattsburgh and the County of Clinton made in 1982, concerning the acquisition, improvement and operation of the Clinton County Compost Facility, the City of Plattsburgh agreed to accept a transfer of title to the property upon the payment of all indebtedness incurred by the County with respect to such facility; and

**Whereas,** the County of Clinton has tendered a deed to said property and requested that the City of Plattsburgh promptly rename such facility and hold the County harmless from any claims for reimbursement of past federal grant assistance; now therefore it is:

**Resolved:** The City of Plattsburgh accepts the deed from the County of Clinton that conveys title to the Clinton County Compost Facility; further

**Resolved:** The City of Plattsburgh agrees that within 45 days of this resolution it shall adopt a resolution changing the name of said facility and change any signage that makes reference to such facility as owned by Clinton County; further

**Resolved:** The Mayor is authorized to sign an agreement, in a form approved by the Corporation Counsel, that holds the County of Clinton harmless from any claims asserted by the federal government for the return or reimbursement of federal grant assistance, or for insurance proceeds received by the City or County for damage sustained by said facility.

By Councilor Jackson; Seconded by Councilor Carpenter  
Discussion:

**Councilor Carpenter** said it's kind of a stupid question, but, I'm wondering what the name of that facility is now.

**Councilor Jackson** said Clinton County Compost facility.

**Councilor Calnon** said I am assuming that since we have 45 days to rename it and resign it. I assuming that just changing the words on the sign would not require any prior approval from the town Zoning board since they probably have a sign ordinance in the town much like we do, but, I would suggest that we move that part of this issue pretty quickly and come up with a name as soon as we can just to be sure we don't run out of time.

**Mayor Kasprzak** said John you want to make a note of that.

**Corporation Counsel John Clute** said yes.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves the Mayor to sign an agreement with ServPro of Clinton/Essex Counties for Contract #2011-03 "Mold Remediation." The price for this work is \$6,500

By Councilor Carpenter; Seconded by Councilor Jackson  
Discussion:

**Councilor Carpenter** said I just want to point out that this was originally going to be put forward. I think it was two weeks ago, Kevin Farrington decided to hold it back he thought he could get us a better price through a rebid and he actually did. I'm very happy that happened.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**8. TRAVEL REQUEST: None**

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**9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Request from the Community Development Office for a Change Order to Project HOME-6-2009 at 5497 Peru Street (Gaito) in the total amount of \$770.
2. Request from Club Caribbean to hold a "Street Jam Carnival" on May 7, 2011 from 12:00 – 4:00 p.m. on Rugar Street.
3. Request from Plattco Corporation to close both lanes of White Street between 7 White Street and 18 White Street on Monday, April 18, 2011 from 12:00 – 4:00 pm.
4. The Regular Common Council meeting scheduled for Thursday, April 21, 2011 will be

changed due to the Good Friday Holiday to Wednesday, April 20, 2011 beginning at 5:30 pm. The work session will begin at 5 pm.

5. Request from Fire Chief Paul Williams to advertise for bids for Contract # 2011-08 "Furnish One 1750 GPM Fire Department Pumper Truck."
6. Resolution: SEQR Determination – Applications to DEC for Solid Waste and Air permit modifications at Clinton County Compost Facility.
7. Request from Police Chief Desmond Racicot for three Police Officers to attend the "One on One Q & A Session with Ford Motor Company and Delacy Ford's product specialists to see the Next-Generation Police Interceptor Vehicle" in Syracuse, NY from April 26-27, 2011 at an estimated cost not to exceed \$650.00 and will be paid out of the Asset Forfeiture Fund (Travel expense).

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**10. NEW BUSINESS: None**

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**11. CLOSING PUBLIC COMMENTS: None**

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**MEETING ADJOURNED:** 6:01 pm